

50. (New) The process of claim 41 wherein the rise in pH is up to 5 pH units.

51. (New) The device of claim 41 wherein the rise in pH is about 2 pH units.

Remarks.

Applicant filed a response to the outstanding Final Rejection before the end of the second month. While applicant's undersigned attorney thanks the examiner for the courtesy of telephone discussions, no Advisory action has been received. Hence it is submitted that even though the fourth month has almost passed, no extension fee is believed to be due. If however the undersigned is in error, the Commissioner is authorized to charge the deposit account (02-1750) of the undersigned for any fees due.

Following discussions with the examiner, certain changes have been made in the generic claims (1, 40 and 41). The polymer/binder is clearly designated as being acidic or neutral. This obviates the need for the previously inserted pH range limitation of 5-7. The indicator has been further specified as undergoing color change on rise of pH. The reaction of the activator with the ethylene oxide is clarified as being a pH raising reaction.

New sub-claims to these generic claims have been added 46-51 which recite the range and preferred range of the pH rise. The entry of these claims at this time is considered proper as to do not raise the number of claims above the original number and were fostered by ideas generated during the discussions with the examiner. All of the foregoing amendments are supported by the specification at pages 4, 6, and 14. While the term "neutral" is not recited *ipsis verbis* in the specification, the recitation of styrene, vinyl acetate and vinyl alcohol as well as cellulose nitrate and carboxymethyl cellulose are believed to justify this term.

In discussions, the Examiner raise her perception that the claims, to be valid under 35 USC 112 would have to recite a "substrate". It is submitted that this issue was never raised in this case but was raised in the companion case relating to plasma detection. Thus since no substrate is required in every use of the

present invention, the presence of a substrate is only recited in one process claim, claim 40.

Applicant confirms the arguments advanced in the previously filed response.

In view of the foregoing, it would appear that there is no tenable ground for rejection of any of the claims in the present application, and their prompt passage to issue is respectfully solicited. However if minor issues remain, the Examiner is requested to call the undersigned before issuing an advisory action so that these matters may be telephonically resolved.

This is to certify that the foregoing paper was transmitted by telefax to the Commissioner for Patents at 703 872 9306 on June 16<sup>th</sup> 2005

Respectfully submitted,



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